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6 UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF WASHINGTON
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9 UNITED STATES OF AMERICA,
10 Plaintiff,
11 v.
12 JOSEPH MATTHIAS KERR,
13 Defendant.

NOS. CR-05-2092-RHW
CR-05-2145-RHW

**ORDER STRIKING
DEFENDANT'S *PRO SE* FILINGS**

13 Defendant has filed a number of *pro se* filings. Edwin Alden was appointed
14 to represent Defendant on December 30, 2005, and he filed his Notice of
15 Appearance on January 3, 2006. Once an attorney has appeared in a case, the party
16 is prohibited from acting *pro se* in the cause. *See* LR 83.2(d). Defendant should
17 consult with his counsel of record to determine whether a particular motion should
18 be refiled by his counsel.

19 Accordingly, **IT IS HEREBY ORDERED:**

20 1. The Court **STRIKES** the following *pro se* motions:
21 a. Motion for Release from Custody (CR-05-2092-RHW [Ct. Rec. 110])
22 (CR-05-2145 [Ct. Rec. 15]);
23 b. Motion for Release from Custody (CR-05-2092-RHW [Ct. Rec. 124])
24 (CR-05-2145 [Ct. Rec. 20]);
25 c. Motion for 28 U.S.C. ss 2255 Summary Judgment Motion for Case
26 Dismissal (CR-05-2092-RHW [Ct. Rec. ____]) (CR-05-2145-RHW [Ct. Rec. ____]).

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ORDER STRIKING DEFENDANT'S *PRO SE* FILINGS ~ 1

IT IS SO ORDERED. The District Court Executive is directed to enter this order and to provide copies to counsel and Defendant.

DATED this 13th day of January, 2006.

s/Robert H. Whaley
ROBERT H. WHALEY
Chief United States District Judge

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